

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on January 13, 2009. At the time the Examiner mailed the Office Action, claims 1 and 3-12 were pending. By way of the present response applicant has: 1) amended claim 1; 2) added no claims; and 3) canceled claims 11-12. As such, claims 1 and 3-10 are now pending. Claim 1 has been amended to include the features of canceled claims 11 and 12. No new matter has been added. Reconsideration of this application as amended is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1 and 3-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 1 176 821 by Victor Fielding (hereinafter "Fielding") in view of Japanese Publication No. 09-288526 by Fukutani Junichi (hereinafter, "Junichi").

Applicant respectfully submits that Fielding does not teach or suggest a combination with Junichi and that Junichi does not teach or suggest a combination with Fielding. It would be impermissible hindsight, based on applicants' own disclosure, to combine Fielding with Junichi.

Even if Fielding and Junichi were combined, the combination would fail to disclose a remote control signal input receiver mounted on said enclosure, wherein the tuner includes a controller to control said converter in response to remote control signals. The Office Action concedes that Fielding and Junichi fail to disclose this claim feature but alleges that it would be obvious because Junichi describes a circuit design "based on a modular approach." (Office Action dated 1/13/09, page 5).

Applicant respectfully disagrees with the Office Action's allegation of obviousness.

Junichi describes that a digital converter can be used to connect various units, such as a tuner or a camera. The “modular approach” relied upon by the Office Action describes different and separate units that can be connected to a laptop. Applicant respectfully submits that this does not justify an assertion of obviousness in regard to a remote control signal input receiver mounted on said enclosure, wherein the tuner includes a controller to control said converter in response to remote control signals. Furthermore, applicant respectfully submits that a remote control would not ordinarily be used with a laptop (as described in Junichi). If the Examiner is alleging that this claim feature is inherent or otherwise obvious, applicant requests that the Examiner provide evidence of the obviousness.

Accordingly, applicant respectfully submits that the rejection of claim 1 has been overcome.

Given that claims 3-9 are dependent upon claim 1, and include additional limitations, applicant respectfully submits that the rejection of claims 3-9 has been overcome for at least the same reasons as above.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fielding in view of Junichi and further in view of EP 1 045 584 A2 by Mark Smith (hereinafter “Smith”).

Given that claim 10 is dependent upon claim 1, and includes additional limitations, and that Smith fails to remedy the shortcomings of Fielding and Junichi, applicant respectfully submits that the rejection of claim 10 has been overcome for at least the same reasons as above.

CONCLUSION

Applicant respectfully submits that in view of the amendments and arguments set forth herein, the applicable objections and rejections have been overcome.

Applicant reserves all rights under the doctrine of equivalents.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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Date: May 7, 2009

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